

**DUANE MORRIS LLP**

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

NORTON MCNAUGHTON OF SQUIRE, INC.,  
JONES APPAREL GROUP, INC.,

Plaintiffs

- against -

M/V MARGRETHE MAERSK, in rem, Maersk  
Line, Maersk Sealand,  
Defendants.

Civil Action No. 07-CV-3716  
(RWS)

**ORDER GRANTING  
PLAINTIFFS' MOTION FOR  
PARTIAL SUMMARY  
JUDGMENT**

**WHEREAS**, this matter having been brought before the Court by Duane Morris, LLP, attorneys for Plaintiffs NORTON MCNAUGHTON OF SQUIRE, INC., JONES APPAREL GROUP, INC, upon notice to attorneys for Defendants M/V MARGRETHE MAERSK, in rem, Maersk Line, Maersk Sealand ("Defendants") for an entry of an order granting Plaintiffs' Cross-Motion for Partial Summary Judgment finding Defendants liable for the damaged ladies garments as a matter of law under the Carriage of Goods by Sea Act of 1936, 46 U.S.C. 1304(5) ("COGSA");

**WHEREAS**, the Court having considered the parties' submissions; and the arguments of counsel; and for good cause shown:

**IT IS** on this \_\_\_\_\_ day of \_\_\_\_\_ 2007;

**ORDERED** that Plaintiffs' Motion for Summary Judgment shall be, and hereby is **GRANTED**; and

**IT IS FURTHER ORDERED** that Defendants' motion for Partial Summary Judgment limiting Plaintiffs' damages to \$500.00 per package based on the package limitation provisions of COGSA is **DENIED**;

**IT IS FURTHER ORDERED** that counsel for Plaintiffs shall serve a copy of this Order upon all parties within seven (7) days of the date hereof.

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ROBERT W. SWEET, U.S.D.J.